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SIPDIS

STATE FOR EUR/ERA KESSLER, WILLIAMS, BEH
STATE PASS TO OMB FOR AHUNT, NBECK, DMANCINI, WLIBERANTE
DEPT PASS TO US FDA
DEPT PASS TO NATIONAL INSTITUTES OF HEALTH
STATE PASS TO CPSC FOR ROBRIEN, PBITTNER
STATE PASS TO USTR FOR WEINER, YANG, MCCONNAHA

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TAGS: EIND ETRD SENV EUN ECON TPHY TSPL
SUBJECT: EUROPEAN RISK FORUM: HELP WANTED: EU CHIEF SCIENCE ADVISOR

¶1. (U) SUMMARY: A vibrant debate on the role of science in decision making took place at the October 13 quarterly meeting of the European Risk Forum (ERF) in Brussels. In a roundtable session on "Revisiting Science and Decision Making", private sector representatives, European Commission and Parliament interlocutors, regulators, and academics discussed "a dislocation between the scientific advisory process and the political process" in the crafting of EU policy. The putative role of a Chief Science Advisor within the executive was briefly raised, with agreement that the position and its responsibilities were quite vague, but had potential. The meeting also included a presentation by Dow Europe on the impact of the EU biocides directive, and a session on a Registration, Evaluation, Authorization and Restriction of Chemicals (REACH) baseline study compiled by Eurostat to monitor the impact of REACH as the first stage of implementation takes place over the next few years. END SUMMARY

BACKGROUND

¶2. (U) The ERF bills itself as an "expert-led and not-for-profit think tank" with the aim of promoting "high quality risk assessment and risk management decisions by the EU institutions, and raising the awareness of risk management issues at EU-level." It receives financial support from the private sector, but is ideologically neutral. The ERF produces a number of risk-related and regulatory themed policy papers, and is highly regarded by academia, EU and regulatory policy wonks alike. In addition to quarterly meetings, the ERF holds occasional luncheon dialogues, the next being October 26 with DG for Health and Consumer Protection Robert Madelin. (NOTE: At the October 13 meeting, ERF Chairman Dirk Hudig asked USEU Econoff about the possibility of OMB Office of Information and Regulatory Affairs (OIRA) Administrator Cass Sunstein as a potential luncheon speaker when next in Brussels. Econoff will pass request on to OMB. END NOTE)

ROUNDTABLE: SCIENTISTS SHOULD BE ON TAP, BUT NOT ON TOP

¶3. (U) With an aim towards considering the quality, credibility, and role of scientific advice in EU decision-making, the speakers plunged into a discussion that ranged from the vibrant to the academic and with no simple conclusions. MEP Malcolm Harbour

(United Kingdom, European Conservatives and Reformers) called attention to European Commission (EC) President Jose Manuel Barroso's policy statement to the European Parliament (EP) ahead of his reelection and Barroso's emphasis on the need for a focal point on the role of science with regard to EU regulation. Harbour called the risk assessment process "arbitrary" in its use of science, particularly around the area of impact assessments. He said that if a committee makes an amendment to a piece of legislation, it should be obligated to do an impact assessment on the amendment and/or the amended legislation.

¶4. (U) In discussing the role of scientific advisory committees, James Bridges, chairman of the EC's Scientific Committee on Emerging and Newly Identified Health Risks (SCENIHR), stressed the provision of sound scientific advice to EU policy makers as "a public service and responsibility". He suggested the BSE crisis of the 90s "changed the parameters" of the risk conversation in general and led to the growing range of domains in which risk assessments were required, a range, he said, that would only expand. Although he cited a number of constraints on risk assessors, one being the inability to quantify and assess benefits, he said the process was largely working and was in fact "progressing towards increased harmonization of risk assessment procedures" globally. Bridges said another way to improve risk assessments would be for EC committees to forge stronger links with scientific committees in the EU member states.

¶5. (U) Robert Hoppe, Professor of Policy and Knowledge at the University of Twente in the Netherlands made an argument that a process of hybridization of science and politics in assessing risk is "what is actually happening" in the crafting of EU policy. Hoppe said the role of science is as a "mediator and clarifier of information and data" on risks and hazards, but, at the end of the day, risk management "is a local thing and local politics matter."

¶6. (U) In the ensuing open discussion, Harbour quoted Winston Churchill: "Scientists should be on tap, but not on top" and suggested there was a dislocation between the scientific advisory process and political considerations in that science generally does not account for benefits. Therefore, he said, scientific panels provide sound, scientific advice to politicians, who weigh that advice on risk against benefits that are social or scientific in nature. The notion of an EU Chief Science Advisor was also raised, with a consensus expressed that the job description is still wide open and would be useful to weigh in with the Commission on possible roles.

BIOCIDES DIRECTIVE: ENTRY INTO FORCE DELAYED TO 2014

¶7. (U) Richard Further of Dow Europe presented on the impact of the revision of the EU Biocidal Product Directive (BPD). According to Further, the Directive, which harmonizes the European market for biocidal products with the goal of protecting human and animal health and the environment, is being revised to close gaps from the original legislation, to extend its scope to include all potential biocides, and to converge with the EU's REACH legislation. He said the revision also includes an extension of the transitional period to May, 2014 (and entry into force) for member states to apply existing national laws and to continue to review biocides already on the market, as the original May 2010 deadline did not provide sufficient time for implementation and compliance. The revised BPD will require extensive testing of biocides before authorization, market approval by the European Union, and final authorization by member states before a product can be placed on the market.

SPEAKING OF REACH

¶8. (U) The outline of a REACH baseline study performed by Eurostat, the statistical office of the EU, was presented by Christian Heidorn, Senior Statistician. Heidorn said the Commission asked

Eurostat to produce the study and to monitor the impact of REACH as its implementation proceeded. He stressed the study does not take into account socio-econmic impacts; nor does it look at benefits of substances or enforcement of REACH, the responsibility of the member states. The study will follow 237 substances by assigning an overall risk score depending on exposure and toxicity and will review the indicators again in 2012 to see whether REACG "has actually reduced the risk caused by chemicals" and how the data have evolved. The study can be found at

http://epp.eurostat.ec.europa.eu/portal/page/ portal/ eurostat/home/.

COMMENT

¶9. (U) The notion that politics trumps science in EU decision-making is by now well known. But as the USG continues to push for science-based policy making as a sensible best practice, the appointment of a Chief Science Advisor within the executive may bring scientific rigor and leadership to a process often guided by emotion and member state foibles. With the job description yet unwritten, we see an opportunity for U.S. interlocutors to weigh in with the Commission to help shape the role of a better shepherd of science within the EU legislative process.

MURRAY